

WILBUR C. GROSSNICKLE, et al.
Complainants

* IN THE

* CIRCUIT COURT

VS

* FOR FREDERICK COUNTY, MARYLAND

MAE PHEBUS, et al.
Respondents

* EQUITY NO. 30,841

* * * * *

PETITION FOR DECREE PRO CONFESSO

The Petition of Wilbur C. Grossnickle and Clara I. Grossnickle, Complainants in the above-entitled case, by M. Albert Morningstar, their attorney, respectfully represents unto this Honorable Court:

FIRST: That heretofore your Petitioners filed their Bill of Complaint to Quiet Title on December 4, 1980.

SECOND: That Respondents Fred Lewis, Mae Early Kline, and Cyrus W. Early were served a copy of said Bill of Complaint, with exhibits thereto, and a copy of the summons on December 9, 1980; that the Respondent Mae Phebus was served with the aforesaid documents on December 10, 1980; and that the Respondent Ronnie Lewis was served with the aforesaid documents on December 11, 1980; and that on January 7, 1981 Affidavits in Compliance to Rule 107 were filed to the effect that the Respondents Paul R. Lewis, Helen Lewis, James Lewis, Sharon Chapell, and Susan Early were served with the aforesaid documents during December, 1980.

THIRD: That an Order of Publication was posted in the vicinity of the Court House door advising the Unknown Heirs of Annie Early Lewis and the Unknown Heirs of C. Welty Early of the said Bill of Complaint, said Order of Publication being removed on March 16, 1981.

FOURTH: That none of the Respondents has filed any Answer to your Petitioners' Bill of Complaint and all are in default.

FIFTH: That the Respondents are not in the military service of the United States, nor of any nation allied with the United States.

WHEREFORE, your Petitioners pray for a Decree Pro Confesso against all of the Respondents and that leave be granted to your Petitioners to take testimony to support the allegations of the said Bill of Complaint to Quiet